

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Victor M. Kern,

Plaintiff,

-VS-

Star Bank, Verndale, MN, First National
Bank, Wadena, MN, Wadena County
Sheriff,

Defendants.

Victor M. Kern,

Plaintiff,

-VS-

Steven K. Ma[r]den Law Office,

Defendant.

Case No. 3:15-cv-15

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 3:15-cv-24

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, in each of the above-captioned cases.¹ The Report and Recommendation recommends that both cases be dismissed for failure to state a claim upon which relief may be granted and that the motions be dismissed as moot. Plaintiff Victor Kern has filed 16 pages of objections. The objections cover a variety of topics. For example, Kern seeks to re-raise issues addressed in other lawsuits; asserts that it is unconstitutional to regulate his revenue and expansion of his

¹ Doc. #10, Case No. 3:15-cv-15; Doc. #8, Case No. 3:15-cv-24

company, to market his patent, and to alter the mail route; alleges that he has “witnessed other false articles” implying it was improper for the magistrate judge to rely on a public obituary of Mr. Marden; alleges that there are “sweet deals” and “the buddy system” that permits individuals in Wadena to obtain land; and, among other things, recites numerous “facts” and asserts claims regarding government corruptions and complaints to the Minnesota Attorney General’s Office. None of Kern’s objections cure the problems identified in the Report and Recommendation - that is, the court is unable to (1) discern the particular causes of action Kern is attempting to allege, and (2) whether this court has subject matter and/or personal jurisdiction over such claims.

Because Kern has failed to state a comprehensible claim that may entitled him to relief in this court, the court finds the magistrate judge’s analyses and recommendations are appropriate. The court hereby adopts the Report and Recommendation filed in each of these cases in its entirety. For the reasons set forth therein, the complaints are hereby **DISMISSED without prejudice** and the motions in Case No. 3:15-cv-15 are **DISMISSED as moot**.

The court finds that any appeal would be frivolous, cannot be taken in good faith, and may not be taken *in forma pauperis*.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 4th day of June, 2015.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court